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FRIT SAN JOSE TOWN AND COUNTRY
13 VILLAGE, LLC
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15 **UNITED STATES DISTRICT COURT**
16 **NORTHERN DISTRICT OF CALIFORNIA**

17 NGOC LAM CHE, an individual,

18 Plaintiff,

19 v.
20

21 FRIT SAN JOSE TOWN AND COUNTRY
VILLAGE, LLC, a limited liability company,

22 Defendant.
23
24
25
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CASE NO. 5:16-cv-503-KAW

**THIRD JOINT STIPULATION AND
[PROPOSED] ORDER TO EXTEND TIME
FOR FRIT SAN JOSE TOWN AND
COUNTRY VILLAGE, LLC TO RESPOND
TO PLAINTIFF'S COMPLAINT AND TO
CONTINUE DATE FOR COMPLETION
OF JOINT INSPECTION OF PREMISES**

1 **IT IS HEREBY STIPULATED by and between Plaintiff NGOC LAM CHE**
2 **("Plaintiff") and Defendant FRIT SAN JOSE TOWN AND COUNTRY VILLAGE, LLC**
3 **("Defendant"), through their counsel of record, as follows:**

4 WHEREAS, Plaintiff filed a complaint in this matter ("Complaint") on January 29,
5 2016;

6 WHEREAS, Defendant disputes that Plaintiff properly served Defendant with the
7 Complaint;

8 WHEREAS, Defendant and Plaintiff have agreed to waive service of the
9 Complaint;

10 WHEREAS, on April 6, 2016, Defendant and Plaintiff filed a Joint Stipulation and
11 [Proposed] Order to Extend Time for FRIT San Jose Town and Country Village, LLC to
12 Respond to Plaintiff's Complaint and to Continue Date for Completion of Joint Inspection
13 of Premises to extend Defendant's time to respond to the Complaint to May 23, 2016 and
14 to continue the date for completion of the joint site inspection to June 13, 2016;

15 WHEREAS, on April 7, 2016, the Court ordered Defendant to respond to the
16 Complaint on or before May 23, 2016 and continued the date for completion of the joint
17 site inspection to June 13, 2016;

18 WHEREAS, on May 20, 2016, Defendant and Plaintiff filed a Joint Stipulation and
19 [Proposed] Order to Extend Time for FR Westgate Mall, LLC to Respond to Plaintiff's
20 Complaint to extend Defendant's time to respond to the Complaint to June 13, 2016;

21 WHEREAS, on May 23, 2016, the Court ordered Defendant to respond to the
22 Complaint on or before June 13, 2016;

23 WHEREAS, Plaintiff and Defendant are engaged in continued discussions
24 regarding potential early resolution and scheduling a joint inspection of the premises;

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1 WHEREAS, in an effort to continue their early resolution discussions, Plaintiff and
2 Defendant have agreed to extend Defendant's time to respond to the Complaint to
3 July 13, 2016;

4 WHEREAS, Plaintiff and Defendant have also agreed to continue the date for
5 completion of the joint site inspection until July 13, 2016.

6 THEREFORE, the parties do hereby stipulate as follows:

7 1. The parties stipulate to extend Defendant's time to respond to the
8 Complaint to July 13, 2016; and

9 2. The parties stipulate to continue the date for completion of the joint site
10 inspection to July 13, 2016.

11
12 **IT IS SO STIPULATED.**

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14 DATED: June 10, 2016

ASCENSION LAW GROUP

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16 By: /s/ Pamela Tsao

17 PAMELA TSAO
18 Attorney for Plaintiff
19 NGOC LAM CHE

20 DATED: June 10, 2016

HANSON BRIDGETT LLP

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22 By: /s/ Jennifer A. Foldvary

23 KURT A. FRANKLIN
24 JENNIFER A. FOLDVARY
25 Attorneys for Defendant
26 FRIT SAN JOSE TOWN AND COUNTRY VILLAGE,
27 LLC

ORDER

PURSUANT TO THE STIPULATION OF THE PARTIES, and finding good cause therein,

IT IS HEREBY ORDERED that:

1. Defendant shall respond to the Complaint on or before July 13, 2016; and
2. The Parties shall complete a joint site inspection on or before July 13, 2016.

IT IS SO ORDERED.

DATE: 6/16/16


Hon. Kandis A. Westmore
UNITED STATES MAGISTRATE JUDGE